

WIPO



IPC/A/22/3

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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)

ASSEMBLY

**Twenty-Second (8th Extraordinary) Session
Geneva, September 27 to October 5, 2004**

REPORT

adopted by the Assembly

1. The Assembly was concerned with the following items of the Consolidated Agenda (document A/40/1): 1, 2, 4, 13, 18, 21 and 22.
2. The report on the said items, with the exception of item 13, is contained in the General Report (document A/40/7).
3. The report on item 13 is contained in the present document.
4. Ambassador Doru-Romulus Costea (Romania), presided over the adoption of the Report on October 5, 2004.

ITEM 13 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE IPC UNION

IPC Reform Status Report

5. Discussions were based upon document IPC/A/22/1.

6. The Secretariat introduced document IPC/A/22/1 and outlined the IPC reform progress achieved since the last session of the Assembly of the IPC Union in September/October 2003.

7. The Delegation of Japan welcomed the introduction of the reformed IPC and indicated that the IPC users in Japan expected that the reformed Classification would significantly improve information retrieval. The Delegation expressed the hope that the reformed IPC would enter into force on January 1, 2006, as agreed by the IPC Committee of Experts, and invited the Members of the IPC Union to closely cooperate with the International Bureau for achieving this goal.

8. The Assembly took note of the IPC reform status report as contained in document IPC/A/22/1.

Availability of the IPC Electronic Data

9. Discussions were based on document IPC/A/22/2.

10. The Secretariat introduced document IPC/A/22/2 and provided background information and the reasons for the proposal concerning the availability of the IPC electronic data.

11. The Delegation of Slovakia drew the attention of the Assembly to the decision of the International Standard Organization (ISO), in view of the change of the country name Yugoslavia to Serbia and Montenegro, to assign to this country a two-letter country code CS. Subsequently, this decision was considered at the meeting of the Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technology, and the majority of member States expressed disagreement with the decision of ISO for the following reasons. The two-letter country code CS represented the former Czechoslovakia until 1993. In the field of patent documentation, more than 300,000 different kinds of documents bearing this code were issued. The use of this code for another country would cause real confusion among general users, producers and providers of patent information, as well as in the data management, search and statistics in the field of patent information. However, the SDWG agreed that no decision concerning a two-letter country code for Serbia and Montenegro could be made until a formal response from ISO had been received and that, in the interim, the two-letter code YU would continue to be used for Serbia and Montenegro. The Delegation requested the International Bureau to seek the best generally acceptable final solution of this issue.

12. The Delegation of the United States of America believed that the cost of the CLAIMS project, including the new IPC management system, should be funded within existing budgetary resources. The Delegation questioned whether it would be advisable to reverse WIPO's policy of making the IPC products freely available. The Delegation could not support therefore the proposal made in the document at this time. The Delegation also informed that the United States Patent and Trademark Office intended to make the data from WIPO available, not only to its patent examiners, but also to the public, through its patent and trademark depository libraries.

13. The Delegation of Japan expressed concern with respect to taking a decision at this stage because the proposal did not indicate the prices themselves and it had not been considered by the IPC Committee of Experts. The Delegation believed that the proposal

should be initially discussed by the Committee, including acceptable prices, and, following decisions by the Committee, subsequently approved by the Assembly. The Delegation informed that the Japan Patent Office provided the IPC data free of charge or at marginal price, which is a key policy for dissemination of information. The Delegation felt that the same policy should be applied to the dissemination of the IPC data.

14. The Secretariat explained that the intention of the document was not to introduce a fee for recovering past expenditure, but to propose a cost for compensating the time and materials needed for the preparation of data files to be made available to private vendors. The intention was to introduce some marginal prices which would recover only the cost of preparation and submission of the data to potential users, mainly to vendors of patent information. If this question is submitted for consideration to the IPC Committee of Experts, it is believed that the Committee would be in a position to consider the need for establishing prices in principle and specific prices applied to different categories of users and to report on its findings to the Assembly.

15. The Delegation of Japan requested that the IPC Committee of Experts take into consideration three issues when considering the question of prices. Firstly, the wish of the Japan Patent Office to continue its practice of providing Japanese users with the Japanese version of the IPC free of charge. Secondly, the Committee should attempt to establish a marginal price for providing the IPC data so as to serve end-users with the data at low price and high quality. Thirdly, the IPC data should be available through WIPO IPDL.

16. The Assembly of the IPC Union decided that the Committee of Experts should consider the establishment of marginal prices for the provision of IPC data to categories of users of patent information, other than industrial property offices, and to report the result of their meeting to the Assembly at its next session.

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